

REMARKS

The above-identified application is United States application serial number 09/415,295 filed on October 8, 1999. Claims 1-44 and 86-93 are pending in the application. Claims 1-4, 9-13, 18-26, 33, 36 and 90-93 are rejected under 35 USC §102(e) as being anticipated by Hitchings Jr. (hereafter Hitchings), U.S. Patent No. 6,594,484. Claims 5-8, 27-32, 34, 35, 37, 42-44 and 86-89 are rejected under 35 USC §103(a) as being unpatentable over Hitchings. Claims 14-17 and 38-41 are rejected under 35 USC §103(a) as being unpatentable over Hitchings in view of Logan et al. U.S. Patent No. 5,732,216.

Rejection of Claims Under 35 USC §102

Claim 23 sets forth "a position-keeping system for providing the geographic location of the browser device to the network server via the wireless communication network, wherein the responsive information is based on the geographic location of the browser device." As amended, Claim 23 clarifies that the position-keeping system provides the geographic location of the browser device, rather than just the location of the browser device. This feature is described at least on page 22, line 1 through page 23, line 2 of the specification.

On page 4 of the Office Action, the Examiner cites portions of the Hitchings reference as disclosing a position-keeping system for providing the location of the mobile audio device. Applicant has reviewed the cited portions of the Hitchings reference and respectfully asserts that the portions do not pertain to a position-keeping system that provides the location of the mobile device. Column 9, lines 16-67 of the Hitchings reference discloses utility programs that are downloaded to the user's computer when the user subscribes to the service (Col. 9, lines 20-26); entry of the user's personal data (Col. 9, lines 28-53); and entry of the user's preferences for the amount of advertising to be received with the subscription content (Col. 9, lines 54-67). Column 14 line 21 to Column 15 line 58 discloses user playback controls that allow the user to navigate through and bookmark the subscription content. None of the cited portions of the Hitchings reference pertain to providing the location of the mobile audio device, as set forth in Claim 23. Further, the responsive information is not based on the location of mobile audio device in the Hitchings reference as required in Claim 23. Claim 23 is therefore believed to be allowable over the Hitchings reference for at least these reasons.

Regarding the rejection of Claim 24 on page 5 of the Office Action, Claim 24 as amended recites "a position-keeping system operable to determine the geographic location of the portable browser system; and a location processor operable to issue an alert when the portable browser system is approaching an area where there is an incidence of wireless data communication loss greater than a pre-selected threshold." This feature is supported at least in Fig. 10 and on pages 22 and 23 of the specification. Additionally, neither the Hitchings or Logan references disclose or suggest a position-keeping system or a location processor as set forth in Claim 24. Claim 24 is therefore believed to be allowable over the cited references.

Claims 25 through 44 depend from Claim 24 and include features that further distinguish them from the cited references. Allowance of Claims 24 through 44 is respectfully requested.

Rejection of Claims Under 35 USC §103

Claim 1 pertains to a mobile information network browser device and requires "a short-range radio, wherein the audio converter outputs the audio signal to the short-range radio, the short-range radio being operable to broadcast the audio signal to a channel on a car radio." This limitation was formerly included in Claim 6, which was dependent on Claim 1. Claim 6 has been canceled in view of the amendment to Claim 1.

In paragraph 4 of the Office Action (page 7), the Examiner takes Official Notice that broadcasting the audio signal to a channel on a car radio is generally well known in the art. Applicant respectfully traverses rejection of former Claim 6, whose limitation is now included in Claim 1, on the basis of Official Notice. Applicant is not aware of any device in the prior art that includes a short range radio that broadcasts audio signals based on responsive information from an information network to a car radio. Accordingly, Applicant requests a citation to a prior art reference to support the Examiner's assertion of Official Notice. (MPEP Section 2144.03).

Claims 2, 4, 5, 8-18, 21, and 23 depend from Claim 1 and include features that further distinguish them from the cited references. Allowance of Claims 1, 2, 4, 5, 8-18, 21, and 23 is respectfully requested.

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Claim 86 pertains to a mobile information network browser device and requires "a mobile audio device operable to receive the data from the communication interface, the mobile audio device being further operable to convert the data to an audio signal for output to a car radio."

On page 8 of the Office Action, the Examiner states that Hitchings does not specifically disclose outputting data to a car radio, and then takes Official Notice that uses of those devices are generally well known in the art. Applicant respectfully traverses this rejection of Claim 86 on the basis of Official Notice. Applicant is not aware of any device in the prior art that receives data from a communication interface to an information network and converts the data for output to a car radio. Accordingly, Applicant requests a citation to a prior art reference to support the Examiner's assertion of Official Notice. (MPEP Section 2144.03).

Newly Added Claims

Claims 94 through 98 have been added to capture subject matter that was originally disclosed on at least page 23 of the specification.

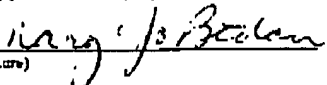
Other Amendments to the Claims

Claims 4, 5, 8, and 9 were amended to provide proper antecedent basis for the audio converter. Claim 25 was amended to correct the antecedent basis for the browser system and to remove language that may be subject to interpretation as means plus function language under 35 U.S.C. § 112. Dependent Claims 3, 6, 7, 19, 20, 22, and 42 have been canceled to remove redundancies after amendments to the claims from which they depended.

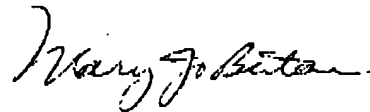
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CONCLUSION

In view of the amendments and remarks set forth herein, Applicant believes Claims 1-44 and 86-93 are in form for allowance and a notice to that effect is solicited. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 251-0250.

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| (I hereby certify that this correspondence is being facsimile transmitted to the USPTO Central Number at (703) 872-9306 on the date shown below) | |
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| (Signature) | |
| Mary Jo Bertani | |
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| May 10, 2004 | |
| (Date) | |

Respectfully submitted,



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